The chart presented below reflects representative examples of the testimony at issue.

Stevedore Employees Who Claim They Knew of Defects at Time of Accident

(1) **Kenneth William Logue**

E.g., "Well, I noticed when I first got aboard it, it was – it was a little jerky on – when you were slewing, and I noticed that when you did start slewing, you put it back in neutral, it would continuously kept slewing for a little ways. [. . .] No, that is not normal. [. . .] No that is not good."

(R. Vol. VI at 95.)[1]

(2) **George Michael Polinard**

Q: "How would you describe the way that the cranes, including the number four, functioned?" [. . .] A: "I observed that all of the cranes were not smooth at all, very jerky in their motions. I observed that all of our operators were having troubles with their cranes and they all felt like they were having trouble maintaining control of their loads."

(R. Vol. IX at 67-68.)[2]

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[1] The Shipowners severely impeached Logue's credibility by presenting him with an affidavit he previously had executed containing statements contrary to his testimony at trial. (R. Vol. VI at 140-46.) The Shipowners further discredited Logue to some extent as to his abilities as a crane operator. (R. Vol. VIII at 122 IX at ___.)

[2] Polinard's testimony came on redirect. The Shipowners immediately impeached Polinard's credibility by pointing out

Stevedore Employees Who Claim They Did Not Know of Defects at Time of Accident

(1) **C.K. Greenwood** (Plaintiff)

E.g., Q: "Are you prepared to give us any testimony that you saw something wrong with that crane before your accident?" A: "No, sir."

(R. Vol. VII at 203.)

(2) **Bert N. Askey**

E.g., Q: "Do you recall, as being part of this crew, any problems in the operation of the crane?" A: "I sure don't."

(R. Vol. VIII at 6.)

(3) **Quincy Guilford**

E.g., Q: "Did either of those crane operators come to you and report to you that there was a problem with this crane, that there was a hazard?"

A: "I can't recall. I don't remember either one coming to me." [. . .]

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that Polinard never worked on Crane No. 4 while the ship at issue, the Penaval, was in port. (R. Vol. IX at 71.) Earlier, while on direct, the Shipowners likewise had elicited Polinard's admission that, at his deposition, he admitted that he never operated one of the Penaval's cranes and, at the time of the accident, and up until noon thereafter, he was in a hatch and unable to see Crane No. 4. (R. Vol. VI at 159.)

Q: "[I]f you had been told of some problem with the crane, you would have reported it to the walking foreman?" A: "I would have reported it. I wouldn't have let it went on like that. I would have had to go to the walking foreman and let him know."

(R. Vol. VIII at 47-48.)

(4) **Frank Blane Hinman**

E.g., Q: "Did Mr. Logue come to you on the day of this accident and tell you about a problem with the crane?" A: "I don't believe so. Not to my memory."

(R. Vol. VIII at 127-28.)

(5) **Douglas Skoruppa**

E.g., Q: "Did you see any problems in how the crane in hatch No. 5, No. 4 crane, was working?" A: "No."

(R. Vol. VIII at 131.)

(6) **Clifton Skoruppa**

E.g., Q: "Had you observed any problems with the operation of the crane? Did you see anything wrong with the crane?" A: "No."

(R. Vol. VIII at 138.)